

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re Application of DAVID A. GODFREY,  
YUKOS FINANCE B.V. and YUKOS  
INTERNATIONAL UK B.V. for an order to  
conduct discovery for use in a foreign  
proceeding.

Petitioners.

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: No. 1:15-MC-325  
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**DECLARATION OF JESSICA OLIFF DALY IN OPPOSITION TO PETITIONERS'  
MOTION TO COMPEL COMPLIANCE WITH SUBPOENAS *DUCES TECUM*  
AND IN SUPPORT OF RESPONDENTS'  
MOTION TO QUASH SUBPOENAS *AD TESTIFICANDUM***

I, Jessica Oliff Daly, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am counsel with the law firm of Akin Gump Strauss Hauer & Feld LLP, counsel for Respondents Jeffrey Johnson, Richard Deitz, and VR Capital in the above-captioned matter.

I am admitted to practice before this Court and I submit this declaration in Opposition to Petitioners' Motion to Compel Compliance with Subpoenas *Duces Tecum* and in Support of Respondents' Motion to Quash Subpoenas *Ad Testificandum*.

2. In early October 2015, Petitioners attempted to serve Respondents Johnson and VR Capital with the 2015 Subpoenas.

3. On or about October 21, 2015, Respondents Johnson and VR Capital served Petitioners' counsel with Johnson and VR Capital's objections to the 2015 Subpoenas.

4. On or about October 23, 2015, Respondents' counsel asked Petitioners' counsel to withdraw the 2015 Subpoenas based on Judge Rakoff's 2007 Ruling.

5. Attached hereto as Exhibit A is the Transcript of Oral Argument held on October 23, 2007 in *In re Godfrey* ("Godfrey I"), S.D.N.Y. No. M19-99.

6. Attached hereto as Exhibit B is a document showing the substantial similarities and the few differences between the 2007 and 2015 Subpoenas.

7. Attached hereto as Exhibit C is Petitioners' Memorandum in Support of Application for an Order to Conduct Discovery for Use in a Foreign Proceeding, dated October 1, 2007, S.D.N.Y. No. M19-99, ECF No. 9.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in New York, New York on this 8th day of December 2015.

/s/ Jessica Oliff Daly  
JESSICA OLIFF DALY